REMARKS

On October 16, 2006, Agent Thomas D. Anderson telephoned Examiner Andrew W. Johns to discuss distinctions between the current application and U.S. Patent No. 5,652,803 to Tachikawa et al. ("Tachikawa"), which is cited as a reference in the claim rejections discussed below. Proposed claim language that embodies the distinctions was discussed. Details of the conversation are included in the remarks below. Applicants are very grateful for the time Examiner Johns spent on the phone with Agent Anderson and for Examiner John's willingness to suggest ways to overcome the rejections.

Claims 1-7 are pending in the application. Claims 1, 3, 5 and 7 have been amended. Claim 8 has been cancelled. Applicants reserve the right to pursue the original claims and other claims in this and other applications. In view of the amendments to the claims and the remarks below, Applicants respectfully request the rejections be withdrawn and the application be allowed.

Claims 1-7 stand rejected under 35 U.S.C. § 102 as being anticipated by Tachikawa. The rejection is respectfully traversed.

Claims 1 and 5 recite an image recognition apparatus. The apparatus includes "a recognition processing portion which carries out a recognition process on supplied image data using dictionary data stored in a storage portion to determine whether or not said supplied image matches said dictionary data." The "dictionary data stored in said storage portion is erased at least at the time when the power is not on." Additionally, "said storage portion does not include a non-volatile memory for storing said dictionary data." Because Tachikawa fails to disclose a storage portion that "does not include a non-volatile memory for storing said dictionary data," Tachikawa fails to anticipate claims 1 and 5.

Tachikawa relates "to a managing system for an image forming apparatus having a special-document discriminating function." Tachikawa, Abstract. The managing system includes an image forming apparatus with multiple detection circuits. Tachikawa, Fig. 8; col. 12, lines 41-67; col. 13, lines 1-7. The detection circuits determine "whether or not the input image data corresponds to a special-document such as paper money." Tachikawa, col. 13, lines 5-7. The detection circuits compare the input image data to specific pattern data stored in a plurality of NVRAMs. Tachikawa, col. 17, lines 10-18. "Each NVRAM comprises an EEPROM-SRAM pair. When the specific pattern data is rewritten in the NVRAM, serial data transferred via the NVRAM controlling unit is written in the EEPROM according to addresses therein. When the power is turned on, the pattern data is set in the SRAM (data in the EEPROM is read into the SRAM) by means of a recall command." Tachikawa, col. 17, lines 22-29. When the power is turned off, pattern data in the SRAM is automatically erased, while pattern data in the EEPROM remains. Thus, as the Examiner pointed out in the Office Action, the SRAM, a volatile memory, is paired with an EEPROM, a non-volatile memory, to create a combined non-volatile memory. Office Action, p. 2. The combined memory, in the form of an NVRAM, still stores pattern data on the EEPROM even when the power has been turned off.

As was discussed in the telephone conversation of October 16, 2006, and as is also alluded to in the Office Action, embodiments of the invention described in the current application may be distinguished from Tachikawa in that the embodiments do not require an accompanying non-volatile memory to store the dictionary data. Indeed, retaining stored dictionary data (in the EEPROM) even after the power has been turned off is contrary to a purpose of the invention: to make "it difficult to carry out analysis and alteration" of the dictionary data. Application, p. 3, lines 9-10. Accordingly, claims 1 and 5 recite that "said storage portion does not include a non-volatile memory for

storing said dictionary data." Because the Tachikawa detection circuits do include a non-volatile memory for storing dictionary data, Tachikawa fails to anticipate claims 1 and 5. Claims 1 and 5, then, are allowable over Tachikawa for at least this reason. Claim 2, which depends from claim 1, is also allowable over Tachikawa for at least the same reason. Claim 6 is allowable as it depends from claim 5.

Claims 3 and 7 also recite an image recognition apparatus. The apparatus includes "a recognition processing portion" that uses "dictionary data stored in a storage portion." The apparatus also includes "means for actively rewriting said dictionary data stored in said storage portion in response to a termination signal." Because Tachikawa fails to disclose a storage portion that is actively erased or rewritten in response to a termination signal, Tachikawa fails to anticipate claims 3 and 7.

The Tachikawa apparatus, as explained above, includes pattern recognition data stored in an NVRAM, which consists of both an EEPROM and an SRAM. Tachikawa, col. 17, lines 22-29. Data stored on the SRAM is automatically erased at the time of power-down – not in response to an active rewrite signal but only as a result of the loss of power. In contrast, in the current application, dictionary data stored in the storage portion may be erased in response to an active signal. Application, p. 10, lines 10-21. "Further, the erasing of the specific pattern data is not limited to the time when the power is turned off ...[;] in the case where recognition is carried out by software ..., the erasing of the dictionary data memory may be carried out at the point in time when the software is terminated. Further, instead of simply erasing the specific pattern data when the power is turned off or the like, dummy data may also be stored." Application, p. 10, lines 21-28. In other words, in the current application, recognition or dictionary data may be actively rewritten or erased. Tachikawa only discloses a passive erasure of data.

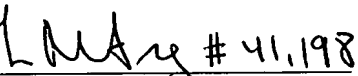
In the telephone conversation between Agent Anderson and Examiner Johns, both parties agreed that the invention described in the current application may be distinguished from the Tachikawa apparatus by the contrasting methods of erasing data. The Tachikawa apparatus erases pattern recognition data at power-down and as a result of power-down. In contrast, claims 3 and 7 recite an apparatus that comprises "means for actively rewriting said dictionary data stored in said storage portion in response to a termination signal." For at least this reason, Tachikawa does not anticipate claims 3 and 7, and claims 3 and 7 are allowable. Claim 4 depends from claim 3 and is also allowable for at least the same reasons that claim 3 is allowable.

For the stated reasons, the rejection is traversed and claims 1-7 are allowable over Tachikawa. Applicants respectfully request that the rejection be withdrawn and the application be allowed.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Dated: October 20, 2006

Respectfully submitted,

By  # 41,198

Thomas J. D'Amico
Registration No.: 28,371
Thomas D. Anderson (Agent)
Registration No.: 56,293
DICKSTEIN SHAPIRO LLP
1825 Eye Street, NW
Washington, DC 20006-5403
(202) 420-2200
Attorney/Agent for Applicants